REMARKS

The applicant appreciates the examiner's thorough examination of the subject application and request reexamination and reconsideration of the subject application in view of the preceding amendments, the following remarks, and the discussion of June 3, 2003 between Examiner David Y. Eng and Jeffrey J. Barclay.

Concerning the subject action, the examiner rejects claims 1-25 under 35 USC §103(a), based on the teachings of Allison (U.S. Patent No. 6,373,848) in view of one of ordinary skill in the art. The examiner acknowledges that Allison fails to disclose specifying a thread from among a plurality of processing program threads to process the data. The examiner argues that one of ordinary skill in the art should readily recognize that a program is constructed of a plurality of instructions which are organized or grouped into subroutines or threads in accordance with their functions such as an interrupt subroutine, word processing subroutine or I/O subroutine. The examiner further argues that selecting a thread among a plurality of threads is nothing more than selecting a subroutine and the instructions therein among a plurality of subroutines.

The applicant disagrees with the examiner's suggestion that a person of skill in the art would modify Allison's Media Access Control to specify a thread from among a plurality of processing program threads to process data.

Allison describes a Media Access Control (MAC) that couples a communication system having multiple channels to a host system. Individual ports included in the MAC respectively connect to each channel of the communication system and a multiplexer is used to receive data from the multiple channels and pass the received data to a single receive path included in the MAC. Allison states, "The multiplexer is *key* in allowing a single MAC to support multiple ports" (Col. 3, Line 62-63) (emphasis added). Thus, Allison goes to great lengths in setting forth the importance of using a multiplexer to collect data from the multiple ports and to pass the data onto the single receive path. To modify communications between the single receive path and the multiplexer included in Allison's MAC for a parallel architecture that specifies a thread from

among a plurality of processing program threads would, in fact, remove the need for the multiplexer. Such an alteration would be contrary to the important objective set forth by Allison of "having a single MAC and a multiplexer for transferring data between a host system and a network" (Col. 2, Line 44-45). It is well established that when a §103 rejection is based upon a modification of a reference that destroys the intent, purpose, or function of the invention disclosed in the reference, such a proposed modification is not proper and the prima facia case of obviousness cannot be properly made.

Accordingly, applicant respectfully asserts that claim 1 is patentable over the combination of Allison and the knowledge of one of ordinary skill in the art, as the combination does not disclose each and every element of the applicant's claimed invention.

Additionally, applicant submits that dependent claims 2-16 are also patentable, as they depend from claim 1, a patentable base claim. Further, for the reasons discussed above applicant respectfully asserts that claims 17-25 are also patentable.